

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

May 4, 1998

DIVISION TWO

B112648 People (Certified for Publication)
v.
Kelii

We remand for the trial court to indicate in a minute order the reasons for striking appellant's prior three strikes convictions as to count 1, 2 and 7, but in all other respects affirm the judgment.

Boren, P.J.

We concur: Fukuto, J.
Zebrowski, J.

B108127 Wolfe (Not for Publication)
v.
City of Paramount et al.

The judgment is affirmed.

Boren, P.J.

We concur: Fukuto, J.
 Nott, J.

B113011 Co. of L.A., Dept. of Public Social Services (Not for
Publication)
v.
Civil Service Commission of the Co. of L.A.
Lilliam M. Sinkovits

The judgment is reversed . The trial court is directed to issue a peremptory writ of mandate ordering respondent Civil Service Commission to conduct a full evidentiary hearing in accordance with the Civil Service Rules. Appellant is entitled to recover its costs on appeal.

Boren, P.J.

We concur: Fukuto, J.
Zebrowski, J.

May 4, 1998-Continued

DIVISION TWO (Continued)

B114559 Kennedy (Not for Publication)
v.
Harmon

The judgment is affirmed. Appellant's request for sanctions is denied. Respondent's request for attorney fees is denied. Respondent to recover costs on appeal from appellant.

Boren, P.J.

We concur: Nott, J.
Zebrowski, J.

B115578 People v. Mejia (Not for Publication)

The Court:

The judgment is affirmed.

Boren, P.J., Fukuto, J., Nott, J.

B111743 People (Not for Publication)
v.
Johnico

The judgment is affirmed.

Boren, P.J.

We concur: Nott, J.
Zebrowski, J.

May 4, 1998-Continued

DIVISION FOUR

B108274 People (Not for Publication)
v.
Fulton

The judgment is affirmed.

Baron, J.

We concur: Vogel (C.S.), P.J.
Czuleger, J. (Assigned)

B110705 Adelberg et al. (Not for Publication)
v.
Franchise Tax Board of the State of California

The judgment is reversed, and the trial court is directed to enter judgment in favor of appellant FTB. Appellant is to have its costs on appeal.

Epstein, J.

We concur: Vogel (C.S.), P.J.
Czuleger, J. (Assigned)

B112825 People (Not for Publication)
v.
Blouin et al.

The judgments are affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

May 4, 1998-Continued

DIVISION FOUR (Continued)

[illegible]

The matter is remanded for resentencing. In all other respects, the judgment is affirmed.

Baron, J.

We concur: Vogel (C.S.), P.J.
Epstein, J.

[illegible]

The case is remanded for a retrial on the 1978 prior conviction of first degree burglary and for resentencing consistent with this opinion. The judgment is affirmed in all other respects.

Epstein, J.

We concur: Vogel (C.S.), P.J.
Baron, J.

DIVISION FIVE

112360 People (Not for Publication)
v.
Rosendo Armas

The judgment is affirmed.

Turner, P.J.

We concur: Grignon, J.
Armstrong, J.

DIVISION FIVE (Continued)

B110577 People
v.
Thomas Kelley

Filed order denying petition for rehearing.

B108297 People (Not for Publication)
v.
Paul Montoya

Judgment is modified as follows: The order doubling the life sentence is reversed. The sentence and abstract of judgment are modified to reflect that defendant has received a life sentence (Pen. Code, § 3046) which has been enhanced pursuant to Penal Code sections 667, subdivision (e) (1) and 1170.12, subdivision (c) (1) so as to double the minimum parole eligibility date for the life term plus 11 years. The three-year sentence for use of a deadly weapon pursuant to Penal Code section 12022, subdivision (b) is reversed solely as to the amount of the term. The sentence for deadly weapon use is modified to one year. The sentence and reference in the abstract of judgment to any enhancements on count three is vacated. The corrected abstract of judgment must only reflect that enhancements were imposed as to count two. The sentence is further modified to reflect that it is consecutive to all other sentences. After sentencing modifications have been made, an amended abstract of judgment shall be forwarded to the Department of Corrections. In all other respects, the judgment is affirmed. The superior court clerk is ordered to file a corrected abstract of judgment complying with the directions of this opinion.

Turner, P.J.

We concur: Grignon, J.
Godoy Perez, J.

B106945 Charles Gold, et al.
v.
Gold Realty, et al.

Filed order denying petition for rehearing.

DIVISION SIX

B109800 Gordon (Not for Publication)
v.
Hartford Fire Insurance Co.

This matter is remanded to the trial court with instructions to enter an order reversing the summary judgment entered in favor of respondent and to enter an order dismissing the complaint with prejudice. Appellant is awarded its costs on appeal.

Coffee, J.

We concur: Gilbert, Acting P.J.
 Yegan, J.

[illegible]

The judgment is affirmed.

Coffee, J.

We concur: Stone, P.J.
Yegan, J.

B109643 DeKinderen (Not for Publication)
v.
Segal

The order granting a new trial is affirmed. The case is remanded to the superior court for further proceedings consistent with this opinion. Costs are awarded to appellant DeKinderen.

Coffee, J.

We concur: Stone, P.J.
 Yegan, J.

May 4, 1998-Continued

DIVISION SEVEN

B097693 People
 v.
 Taylor

Filed order denying petition for rehearing.